

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

LANCE ANDREWS,)	
)	
Plaintiff,)	
v.)	NO. CIV-16-1359-HE
)	
FORD MOTOR COMPANY,)	
a Delaware corporation,)	
)	
Defendant.)	

ORDER

Plaintiff Lance Andrews has asserted claims against defendant Ford Motor Company arising from a single-vehicle accident involving a pickup manufactured and sold by Ford. The court previously denied Ford's motion to dismiss, which was based on a claimed lack of personal jurisdiction. Ford has now moved for reconsideration of that decision in light of the Supreme Court's recent decision in Bristol-Myers Squibb Co. v. Superior Court of California, 137 S. Ct. 1773 (2017), which it views as representing a change in the controlling law.

The court is unpersuaded that Bristol-Myers Squibb involves a change in the controlling law. The Court itself noted that "settled principles regarding specific jurisdiction control this case." *Id.* at 1781. The question presented was whether those settled principles had been properly applied by the California courts. The Court concluded they were not.

Bristol-Myers Squibb involved a products liability action against a drug manufacturer. The plaintiffs included persons who resided outside of the State of


California and who “were not prescribed [the drug] in California, did not purchase [the drug] in California, did not ingest [the drug] in California, and were not injured by [the drug] in California.” The Court focused on the absence of an affiliation between California and the underlying controversy, concluding there was not “any adequate link between the State and the nonresidents’ claims.” *Id.*

Here, the circumstances are different. According to the complaint, the plaintiff is a resident of Oklahoma. He used his pickup in the State of Oklahoma and suffered the alleged injuries in the State of Oklahoma. These key differences undercut any suggestion that Bristol-Myers Squibb mandates a different result from that previously reached by the court—that plaintiff has made a sufficient *prima facie* showing of a basis for specific jurisdiction such that this case may proceed here.

The motion to reconsider [Doc. #23] is **DENIED**.

IT IS SO ORDERED

Dated this 31st day of July, 2017.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE

10/5